

Amendment No. 4 to SB4207

Kyle
Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 4207

House Bill No. 4206*

by deleting subdivision (a)(1) of Section 12 and by substituting instead the following:

(a)

(1) An individual may not sell, solicit or negotiate long-term care insurance unless the individual is licensed as an insurance producer for accident and health or sickness or life and has completed a one-time, eight (8) hour training course. A person currently authorized to sell long-term care insurance may continue to sell such insurance after the effective date of this act as long as he or she completes a one-time, eight (8) hour training course by or before July 1, 2009.

AND FURTHER AMEND by deleting subdivision (b)(1) of Section 12 and substituting the following:

(b)

(1) Continuing education, as established by rule, may be required of all licensed producers who sell, solicit or negotiate long-term care insurance, provided that they are not otherwise exempt from continuing education pursuant to Tennessee Code Annotated, Section 56-6-107(c).

AND FURTHER AMEND by deleting subdivision (c)(1) of Section 12 and substituting the following:

(c)

(1) Insurers subject to this chapter shall obtain verification that a producer receives training required by subdivisions (a)(1) and (b)(1) before a permitted to sell, solicit or negotiate the insurer's long-term care insurance products, maintain

records subject to the state's record retention requirements, and make that verification available to the commissioner upon request.

AND FURTHER AMEND by deleting subsection (b) of Section 11 and replacing it with the following:

When a group long-term care insurance policy is issued, the offer required in subsection (a) shall be made to the group policyholder. However, if the policy is issued as group long-term care insurance as defined in Tennessee Code Annotated, Section 56-42-103(4)(D), including a continuing care retirement community or other similar entity, the offering shall be made to each proposed certificate holder.

AND FURTHER AMEND by deleting Section 13 in its entirety and replacing it with the following:

The commissioner shall issue reasonable regulations for the administration and enforcement of this Tennessee Code Annotated, Title 56, Chapter 42, including but not limited to rules to promote premium adequacy and to protect the policyholder in the event of substantial rate increases, and to establish minimum standards for producer education, marketing practices, producer compensation, producer testing, penalties and reporting practices for long-term care insurance.

AND FURTHER AMEND in subdivision (c)(2) of Section 12 by deleting the language "(b)(2)(i)" and substituting instead "(b)(2)(A)".

AND FURTHER AMEND by deleting subdivision (4) of the second unnumbered subsection of Section 8 and substituting instead the following:

(4) A statement that no long-term care inflation protection option is available under the policy;